

October 3, 2008

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Re: *In the Matter of Eric Mitchell*  
OAH Docket No. 3-1005-19813-2

Dear Counsel:

This letter constitutes the First Prehearing Order concerning matters discussed in the prehearing conference on October 2, 2008. Mr. Tostengard appeared for the Department of Commerce; Mr. Franzen appeared by telephone for Eric Mitchell. We set the following deadlines:

December 9, 2008: Deadline for the parties to exchange all exhibits they intend to offer into evidence at the hearing, along with a witness list containing a brief description of the anticipated testimony of each witness. The parties should mail a copy of the exhibit and witness lists to the Administrative Law Judge by this date.

December 16, 2008: Hearing, commencing at 9:30 a.m. at the Office of Administrative Hearings.

Please let me know if the matter is resolved before the hearing.

Sincerely,

s/Kathleen D. Sheehy  
KATHLEEN D. SHEEHY  
Administrative Law Judge  
Telephone: (651) 361-7848

cc: Docket Coordinator